

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1910 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- SC/ST District- Rohtas

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1. SUDAMA SINGH SON OF LATE ISHWAR DAYAL SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.
 2. BECHAN SINGH SON OF SUDAMA SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.
 3. YOGENDRA SINGH SON OF SUDAMA SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.
 4. BIHARI SINGH SON OF SUDAMA SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.
 5. DISHU KUMAR SON OF BECHAN SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.
 6. LAL BABU SINGH @ ARVIND SINGH SON OF BECHAN SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.
 7. JITENDRA KUMAR SINGH @ JITAN SINGH @ JITENDRA SINGH SON OF LATE AMBIKA SINGH R/O VILLAGE- TENDUA TOLA, P.S.- KAREGAHAR, DISTRICT- ROHTAS.

... .. Appellant/s

Versus

The State of Bihar BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhaneshwar Prasad Gupta, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2021 Heard learned counsel for the appellants and the learned Addition Public Prosecutor for the State.

This appeal, under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is filed against the order dated 29.01.2021 passed in Regd. Case No. 29 of 2020, whereby and whereunder the learned 1st Additional Sessions Judge cum Special Judge, Rohtas at



Sasaram rejected the prayer of pre-arrest bail of the appellant in connection with Dehri P.S. Case No. 10 of 2020 registered under Sections 147, 148, 149, 341, 354, 504 and 506 of the Indian Penal Code and Sections 3 (2) (Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case. It is further submitted that the present first information report has been lodged after delay of 1 months and 18 days of the occurrence. It is further submitted that the present case is the counter blast of Karagohar (Barahari OP) Case No. 302 of 2019. It is further submitted that no specific allegation has been attributed against the appellants. It is further submitted that no case is made out under the provisions of the SC/ST Act because no offence is alleged to have been taken place within the purview of the public place. It is further submitted that the appellants have no criminal antecedents.

Having considered the facts and circumstances of the case, the impugned order dated 29.01.2021 is set aside and this appeal is allowed.

Let the appellants, above named, be released on bail, in the event of his/their arrest or surrender before the learned



court below within a period of four weeks from today, on
furnishing bail bond of Rs. 10,000/- (ten thousand) each with
two sureties of the like amount each to the satisfaction of the
learned 1st Additional Sessions Judge cum Special Judge,
Rohtas at Sasaram in connection with Regd Case No. 29/2020
arising out of Dehri P.S. Case NO. 10 of 2020.

(Sunil Kumar Panwar, J)

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